IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 12657 of 2004

Between:

Dattatray S/o. Narayana Rao
Takil Village, Mandal Bela, Adilabad District.

..... PETITIONER

AND

1 The Agent to the Govt (Dist Collector), Adilabad, District Adilabad.
2 Project Officer, I.T.D.A. (Integreated Tribal Development- Agency), Adilabad, Head Quaters Utnoor, Dist, Adilabad.
3 Muralidhar S/o. Maruthi Kamde
Takil Village Mandal Bela, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent and 2nd respondent in not disposing the Appeal vide No.D4/Ag/20/97 which is transferred to the court of 2nd respondent from the court of 1st respondent, which is illegal, arbitrary and violative of Article 21 of the constitution of India and also against the principles of natural justice and consequently direct the 1st and 2nd respondents to dispose the said appeal within three weeks .

Counsel for the Petitioner:MR.NAZEER KHAN

Counsel for the Respondent Nos.1&2: GP FOR SOCIAL WELFARE

The Court made the following :

O R D E R:

The petitioner and his brother are non-tribals and they are said to be in possession of certain land in the scheduled area. The impugned order dated 11-06-1997 was issued by the Special Deputy Collector, Tribal Welfare, Adilabad ejecting the petitioner and his brother from the said land to an extent of Ac.3.00 in Survey No.41 situated at Takli village, Bela Mandal, Adilabad District. The petitioner being aggrieved by the said order preferred an appeal to the 1st respondent dated 08-07-1997 and it was later transferred to the 2nd respondent. The petitioner being aggrieved by the non-disposal of the said appeal by the 1st respondent initially and 2nd respondent presently, filed this writ petition to direct the 2nd respondent to dispose of the said appeal.

It is seen that the appeal is pending since 1997. It is just and appropriate to direct the 2nd respondent to dispose of the appeal within a reasonable time.

In the result, the writ petition is allowed. The 2nd respondent is directed to pass appropriate orders in the appeal preferred by the petitioner on merits within four weeks from the date of receipt of this order. No costs.

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21-07-2004

mjl/*

1. The Agent to the Govt (Dist Collector), Adilabad, District Adilabad.

2. Project Officer, I.T.D.A. (Integreated Tribal Development- Agency), Adilabad, Head Quaters Utnoor, Dist, Adilabad.

3. Muralidhar S/o. Maruthi Kamde
Takil Village Mandal Bela, Adilabad District.

4. 2 CCs to G.P. Social Welfare, High Court of A.P. Hyderabad.

5. 2 CD copies.